

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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KENDRICK DANE SELLERS,  
and RICHARD REYNOLDS,

Plaintiff,  
v.

ORDER

Case No. 22-cv-637-wmc

MADISON POLICE DEPARTMENT, et al.

Defendants.

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KENDRICK DANE SELLERS,

Plaintiff,  
v.

ORDER

Case No. 22-cv-656-wmc

JILL KAROFISKY, et al.

Defendants.

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Plaintiff Kendrick Dane Sellers has submitted a motion for an order directing prison officials to pay the remainder of the filing fees from plaintiff's release account. Under the Prison Litigation Reform Act, an inmate who files a lawsuit in federal court under the *in forma pauperis* statute must pay the \$350 filing fee, first by making an initial partial payment and then by sending the remainder of the fee to the court in installments of 20% of the preceding month's income, in accordance with 28 U.S.C. § 1915(b)(2). This court entered orders in these cases assessing plaintiff initial partial payments of the filing fees, which plaintiff has paid. Plaintiff has been making monthly installment payments since then.

The language of 28 U.S.C. § 1915(b)(1) requires prison officials to use a prisoner's release account to satisfy an initial partial payment if no other funds are available. *Carter v.*

*Bennett*, 399 F. Supp. 2d 936, 936-37 (W.D. Wis. 2005). However, with the exception of such initial partial payments, this court does not have the authority to tell state officials whether, and to what extent, a prisoner should be able to withdraw money from a release account. I will deny this motion.

ORDER

IT IS ORDERED that plaintiff Kendrick Dane Sellers's motion for an order directing prison officials to pay the remainder of the filing fee in these cases from plaintiff's release account is DENIED.

Entered this 11th day of January, 2022.

BY THE COURT:

/s/  
STEPHEN L. CROCKER  
Magistrate Judge